



**IT IS ORDERED as set forth below:**

**Date: November 25, 2014**

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**Margaret H. Murphy**  
**U.S. Bankruptcy Court Judge**

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>IN RE:</b>	:	<b>CHAPTER 13</b>
	:	
<b>DEMETRIUS LEO PINKETT and,</b>	:	<b>CASE NO. 14-67504-MHM</b>
<b>DANA LYNN PINKETT,</b>	:	
<b>DEBTORS.</b>	:	

**ORDER DISMISSING CHAPTER 13 CASE  
PURSUANT TO 11 U.S.C. SECTION 109(g)**

Hearing on confirmation of the Debtors' Chapter 13 Plan came before the Court November 20, 2014 upon proper notice.

In his written Objection to Confirmation filed October 29, 2014 the Chapter 13 Trustee ("Trustee") moved to dismiss the instant case pursuant to 11 U.S.C. Section 109(g). In his objection to confirmation, and in support of his request to dismiss pursuant to 11 U.S.C. Section 109(g) and 105(a), Trustee showed the Court the following:

Debtors have filed one (1) previous unsuccessful Chapter 13 Case, being Case Number 14-60381 filed May 29, 2014 and dismissed August 26, 2014. In prior case 14-60381, Debtors defaulted in Plan payments to Trustee. In the instant case, Debtors failed to appear at the hearing and failed to resolve all of the Chapter 13 Trustee's objections.

Debtors have failed to file a confirmable Plan in the instant Chapter 13 case. Such failure represents an unreasonable and prejudicial delay in protecting the rights and interests of the estate and Debtors' creditors; accordingly, it is hereby


ORDERED that confirmation of the Debtors' Chapter 13 Plan is DENIED for Debtors' failure to comply with the applicable provisions of 11 U.S.C. Section 1325(a)(1). It is further

ORDERED that Trustee's request to dismiss this case pursuant to 11 U.S.C. Sections 105(a) and 109(g) is GRANTED: Debtors are hereby barred from filing cases under Chapter 13 of Title 11 of the United States Bankruptcy Code for a period of one hundred eighty (180) days from the date of entry of this Order.

The Clerk of Court is directed to serve notice of this Order on all creditors, parties in interest and Debtors.

**[END OF DOCUMENT]**

Presented by:

  
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